

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DETROY JOHNSON,	)	
	)	Civil Action
Petitioner	)	No. 2003-CV-01652
	)	
vs.	)	
	)	
KENNETH KLYLE,	)	
DISTRICT ATTORNEY OF THE	)	
COUNTY OF PHILADELPHIA and	)	
ATTORNEY GENERAL OF THE	)	
STATE OF PENNSYLVANIA,	)	
	)	
Respondents	)	

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DETROY JOHNSON,	)	
	)	Civil Action
Petitioner	)	No. 2002-CV-04632
	)	
vs.	)	
	)	
PENNSYLVANIA BOARD OF PROBATION	)	
AND PAROLE,	)	
DEPARTMENT OF CORRECTIONS,	)	
DISTRICT ATTORNEY OF THE	)	
COUNTY OF PHILADELPHIA and	)	
ATTORNEY GENERAL OF THE	)	
STATE OF PENNSYLVANIA,	)	
	)	
Respondents	)	

O R D E R

NOW, this 1<sup>st</sup> day of June, 2004, upon consideration of the In Forma Pauperis Declaration for the Third Circuit filed on behalf of petitioner Detroy Johnson May 3, 2004 in each of the above-captioned matters; it appearing that by Order of the undersigned dated March 29, 2004 we dismissed petitioner's claims in the above-captioned matters; it further appearing that on May 3, 2004 petitioner filed a Notice of Appeal in each of the

above-captioned matters; it further appearing that petitioner is indigent and unable to pay the filing fees in this matter,

IT IS ORDERED that petitioner's request to proceed in forma pauperis is granted subject to review of petitioner's petition by the United States Court of Appeals for the Third Circuit.<sup>1</sup>

BY THE COURT:

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James Knoll Gardner  
United States District Judge

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<sup>1</sup> In our March 29, 2004 Order we dismissed petitioner's habeas corpus actions in case numbers 2002-CV-4632 and 2003-CV-1652. In addition, we denied petitioner a certificate of appealability in each action because we concluded that petitioner failed to demonstrate denial of a constitutional right. We do not pass on whether petitioner has a meritorious appeal because that determination will be made by the United States Court of Appeals for the Third Circuit. Accordingly, we grant petitioner's application to proceed on appeal in forma pauperis subject to review of petitioner's status by the Third Circuit.